Remarks

Claims 1 to 58 were pending (claims 33 to 53, 57, and 58 were withdrawn from consideration by the Examiner). By this Amendment, claims 10 to 16 and 26 to 32 were cancelled and claims 1, 17 to 25, 54, and 55 were amended. Applicants maintain that no new matter has been added by these amendments and therefore respectfully request that the Examiner enter the amendments presented. Amended claims 1 to 9, 17 to 25, and 54 to 56 are now pending and before the Examiner in this application.

The Examiner rejected claims 1 to 32 and 54 to 56 under 35 U.S.C. § 103(a) as allegedly obvious over Sarlikiotis *et al.* (U.S. Patent No. 6,284,287) or Naclerio (Clinical and Experimental Allergy-1998) in view of Garvey *et al.* (U.S. Patent No. 5,824,669). The Examiner also rejected claims 1 to 32 and 54 to 56 under 35 U.S.C. § 103(a) as allegedly obvious over Sarlikiotis *et al.* or Garvey *et al.* in view of Naclerio.

In response, applicants have amended the claims and maintain that such amendments render the Examiner's rejections moot. Accordingly, applicants respectfully request that the Examiner reconsider and withdraw the rejections.

Applicants respectfully submit that all the pending claims are allowable and therefore solicit a Notice of Allowance for all of the pending claims. If the Examiner feels that a telephone interview would be helpful in advancing prosecution of this application, the Examiner is invited to contact the attorney below.

Version of the Specification with Markings to Show Changes Made by this Amendment

In accordance with 37 C.F.R. § 1.121(c)(1)(ii), the following marked up version of the specification amended herein is provided to show all of the changes relative to the previous version before the amendments herein.

--1. (Amended) An inhalable powder pharmaceutical composition comprising:

(a) a tiotropium salt; ~~and~~

(b) an antihistamine;, and

(c)

~~optionally together with~~ a pharmaceutically acceptable excipient selected from glucose, arabinose, lactose, saccharose, or maltose,

the tiotropium salt and the antihistamine optionally in the form of their enantiomers, mixtures of their enantiomers, their racemates, their solvates, or their hydrates.--

--17. (Amended) A capsule containing an inhalable powder pharmaceutical composition according to claim 1 ~~in the form of an inhalable powder~~.--

--18. (Amended) A capsule containing an inhalable powder pharmaceutical composition according to claim 2 ~~in the form of an inhalable powder~~.--

--19. (Amended) A capsule containing an inhalable powder pharmaceutical composition according to claim 3 ~~in the form of an inhalable powder~~.--

--20. (Amended) A capsule containing an inhalable powder pharmaceutical composition according to claim 4 ~~in the form of an inhalable powder~~.--

--21. (Amended) A capsule containing an inhalable powder pharmaceutical composition according to claim 5 ~~in the form of an inhalable powder~~.--

--22. (Amended) A capsule containing an inhalable powder pharmaceutical composition according to claim 6 ~~in the form of an inhalable powder~~.--

--23. (Amended) A capsule containing an inhalable powder pharmaceutical composition according to claim 7 ~~in the form of an inhalable powder~~.--

--24. (Amended) A capsule containing an inhalable powder pharmaceutical composition according to claim 8 ~~in the form of an inhalable powder~~.--

--25. (Amended) A capsule containing an inhalable powder pharmaceutical composition according to claim 9 in the form of an inhalable powder.--

--54. (Amended) A method of treating allergic or non-allergic rhinitis in a patient in need of such treatment, the method comprising administering to the patient a therapeutically effective amount of the inhalable powder pharmaceutical composition according to one of claims 1 to 9~~12~~.--

--55. (Amended) A kit comprising one or more unit dosage containers containing a pharmaceutical composition, each unit dosage container containing a pharmaceutical composition comprising:

(a) a tiotropium salt; ~~and~~

(b) an antihistamine~~,~~; and

(c)

~~each optionally together with~~ a pharmaceutically acceptable excipient selected from glucose, arabinose, lactose, saccharose, or maltose,

the tiotropium salt and the antihistamine optionally in the form of their enantiomers, mixtures of their enantiomers, their racemates, their solvates, or their hydrates.--

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on June 24, 2003.

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6-24-2003
Dated

Respectfully submitted,

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